



The Little Traverse Bay Bands of Odawa Indians  
VIA ZOOM  
**Tribal Council Regular Meeting Agenda**  
**May 11, 2023**  
**9:00 a.m.**

**All meetings, work sessions and Citizens' meetings are recorded**

**\*Agenda subject to change and may include closed session\***

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

Lunch Recess may be held approximately 12:00 p.m. - 1:00 p.m.

**Participation.** With respect to all participants, and in accordance with Waganakising Odawak Statute 2015-014 Open Meetings of the Tribal Council, and the Tribal Council Meeting Policy and Procedures for Electronic Meetings, **participants are required to provide their full name and Tribal affiliation at log in for meeting entry.** Citizens use name and enrollment number, all others who are required to be in the meeting, use name and title. Without required identification you will remain in the Zoom waiting room of this session until the entry criteria is met. If you log in under what appears to be a fictitious name, you may be removed and will not be provided entry into the meeting room until such time as your log in is verifiable.

**Public Comment.**

Tribal Council will not accept comments nor discuss matters that relate to the following:

1. Personnel matters.
2. Personal information affecting an individual's privacy, including personnel matters. or medical conditions or similar matters that constitute a clearly unwarranted invasion of personal privacy unless it pertains to the Tribal Citizens who is raising the matter.
3. Matters covered by attorney client privilege.
4. Matters considered confidential by other Statutes.
5. Matters regarding confidential business or legal matters of the Tribe or a Tribal Citizen.
- 6 Matters that could impair a criminal investigation.

(Source: WOS 2015-014, July 24, 2015, Section VI)

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## GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call
4. **Motion** to adopt the agenda of May 11, 2023 as (presented/amended).
5. Review and Approve Minutes of April 20, 2023.  
**Motion** to approve the minutes of April 20, 2023 as (presented/corrected).
6. Executive Oversight Report  
**Motion** to acknowledge receipt of the verbal and written Executive Oversight Report as presented by...for May 11, 2023.

**Motion** to appoint Kerstine Omei to the Bay Mills Board of Regents replacing former Education Director Jordan Shananaquet.

7. Legislative Leader Report  
**Motion** to acknowledge receipt of Legislative Leader Emily Proctor's verbal and written report for May 11, 2023.

8. Secretary Report
  - a. Documents Delivered to the Executive:

-Waganakising Odawak Statute Constitutionally Mandated Compensation – Tribal Chairperson and Tribal Vice-Chairperson due back on 05/22/2023

-Waganakising Odawak Statute Constitutionally Mandated Compensation – Tribal Council due back on 05/22/2023

- b. Documents signed by the Executive:

- Tribal Resolution # 042023-01 Authorization of the COVID-19 Financial Impact Relief Payment Program that allows a seven hundred dollars (\$700.00) payment to the Little Traverse Bay Bands of Odawa Indians Citizens to come from American Rescue Plan Act ("ARP") funds -signed on 04/21/2023

-Tribal Resolution # 042023-02 Appropriation of Funds for the 2024 Fiscal Year Operating Budgets -signed on 04/24/2023

-Waganakising Odawak Statute # 2023-002 Citizenship Statute -signed on 05/01/2023

c. Vetoes (a vote of Tribal Council to override a veto shall occur within 90-days of the veto):  
None

d. Phone Polls passed by Tribal Council:

**05/01/2023** Motion to approve Confidential Memo 050123-01 Personnel.

Phone Poll Vote: 9 Yes, 0 No, 0 Abstain, 0 Absent

Motion carries.

**Motion** to acknowledge receipt of Secretary Marcella Reyes' verbal and written report as provided on the agenda for May 11, 2023.

## 9. Treasurer Report

a. Appropriations and Finance Committee

Last Meeting: April 11, 2023

Motions made at April 11, 2023 Appropriations and Finance Committee Meeting were presented to Tribal Council at their April 20, 2023 meeting.

Phone Polls passed by Appropriations and Finance Committee: Two

**05/10/2023** Motion to recommend to Tribal Council to approve CERTIFIED MOTION Request for Funding from Department of Homeland Security Tribal Homeland Security Grant Program FY 2023

Phone Poll Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carries.

**05/10/2023** Motion to recommend to Tribal Council to approve CERTIFIED MOTION Request for Funding as a sub-grantee from the Inter-Tribal Council of Michigan for funding from the Administration for Children and Families (ACF) Little Traverse Bay Bands of Odawa Indians Tribal Home Visiting Grant Program FY 2023-2027

Phone Poll Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carries.

Next Meeting: May 16, 2023 at 9:00 a.m. in Council Chambers and via Zoom

**Motion** to acknowledge receipt of the Appropriations and Finance Committee verbal report as provided on the agenda by Treasurer Leroy Shomin, Committee Chair for May 11, 2023.

## 10. Land and Reservation Committee Report

Last Meeting: May 5, 2023

Motions made at Land and Reservation Committee Meeting:

Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to request a Staff Review and Analysis Report for Land Parcel #181 to be completed and submitted to the Committee prior to June 2, 2023.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carries.

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to request a Staff Review and Analysis Report for Land Parcel #182 to be completed and submitted to the Committee prior to June 2, 2023.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to not pursue Land Parcel #183.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to not pursue Land Parcel #184.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to not pursue Land Parcel #185.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to request a Staff Review and Analysis Report for Land Parcel #186 to be completed and submitted to the Committee prior to June 2, 2023.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to **not** pursue Land Parcel #179.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 051123-01 Designate Land Use of Bay de Noc Parcel and Assignment to Natural Resource Department.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 051123-02 Designate Land Use of Stone Circle on Beaver Island land parcel and Assignment to Tribal Historic Preservation Office for the purpose of cultural preservation.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 051123-03 Designate Land use of Townline Road parcel and Assignment to Natural Resources for the purpose of Treaty Rights Enhancement.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 051123-04 Approval of Site Plan for the Development of Tiny Homes at Monroe Street, Petoskey, Michigan.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 051123-05 Designate Land use of Townline Road parcel and Assignment to Natural Resources for the purpose of Treaty Rights Enhancement.*

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent  
Motion carries.

Phone Polls passed by Land and Reservation Committee: None

Next Meeting: June 2, 2023 at 9:00 a.m. in Council Chambers and via Zoom

**Motion** to acknowledge receipt of the Land and Reservation Committee verbal and written report as provided on the agenda by Councilor Aaron Otto, Committee Chairperson for May 11, 2023.

11. Tribal Council Member Reports:

- a. Councilor Fred Kiogima
- b. Councilor Tamara Kiogima
- c. Councilor William Ortiz
- d. Councilor Aaron Otto
- e. Councilor Melissa Pamp
- f. Councilor James Pontiac
- g. Legislative Leader Emily Proctor
- h. Secretary Marcella Reyes
- i. Treasurer Leroy Shomin

**Motion** to acknowledge receipt of ...(verbal/written) report for May 11, 2023.

12. **11:00 a.m.** Gaming Authority-Odawa Casino Resort 2023 1<sup>st</sup> Quarter Report

**Motion** to acknowledge receipt of the verbal and written Gaming Authority/Odawa Casino Resort 2023 1<sup>st</sup> Quarter Report as presented by ... for May 11, 2023.

13. **1:00 p.m.** Odawa GSP Online 2023 1<sup>st</sup> Quarter Report

**Motion** to acknowledge receipt of the verbal and written Odawa GSP Online 2023 1<sup>st</sup> Quarter Report as presented by...for May 11, 2023.

14. Legislative Office Reports:

a. Office of Finance and Revenue - Senior Financial Analyst

i. Office Update

ii. Corporate Charters and/or Board Updates:

- Gaming Authority – See 1:00 p.m. Odawa GSP Online 2023 1<sup>st</sup> Quarter Report
- Odawa Economic Affairs Holding Corporation
- Odawa Economic Development Management, Inc.
- Tribal Burial Board
- Ziibimijwang, Inc.

**Motion** to acknowledge receipt of Sr Financial Analyst Rachel Cope's verbal and written report for May 11, 2023.

**Motion** to acknowledge receipt of the Gaming Authority/Odawa Casino Resort independent audit report as provided by BDO, USA LLP dated April 18, 2023.

b. Tribal Historic Preservation Officer

**Motion** to acknowledge receipt of Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report for May 11, 2023.

c. General Counsel

**Motion** to acknowledge receipt of General Counsel Jim Bransky's verbal report for May 11, 2023.

**Motion** to approve the Memorandum of Agreement between Little Traverse Bay Bands of Odawa Indians and the City of Harbor Springs to govern provision of City water, sewer and electric services to Tribal trust property on Second Street Harbor Springs, and authorize Tribal Chairperson Regina Gasco-Bentley to sign the agreement on behalf of Little Traverse Bay Bands.

**Motion** to adopt Tribal Resolution Water, Sewer and Electric Services to Second Street Indian Town Development.

**Motion** to approve The Fire Protection Services Agreement Between the Little Traverse Bay Bands of Odawa Indians and City of Harbor Springs and Authorize the Chairperson to sign on Behalf of the Tribe.

d. Legislative Office Director

**Motion** to acknowledge receipt of Legislative Office Director Michele Portman-LaCount's verbal and written report for May 11, 2023.

15. Motions

a. **Motion** to acknowledge receipt of the Executive Nomination of Melissa Wiatrolik to the Election Board and set up an interview.

b. **Motion** to acknowledge receipt of the Executive Nomination of Melissa Wiatrolik to the Tribal Burial Board and set up an interview.

c. **Motion** to acknowledge receipt of the Executive Nomination of Carla Osawamick to the Election Board and set up an interview.

d. **Motion** to appoint Wenona Singel Appellate Justice for the remainder of a term ending 12/21/2026.

e. **Motion** to re-appoint Annette VanDeCar appointment to Tribal Burial Board Inc. for a 3-year term ending 5/11/2026.

f. **Motion** to acknowledge receipt of the Executive Nomination of Wilson Brott for Assistant Prosecutor and set up an interview.

- g. **Motion** to acknowledge receipt of the Executive Nomination of Sydney Kay for the Child Welfare Commission and set up an interview.
- h. **Motion** to acknowledge receipt of the Executive Nomination of Janice Shackleford for the Elder's Commission and set up an interview.
- i. **Motion** to acknowledge receipt of the Executive Nomination of Joanne Cook for Chief Judge and set up an interview.
- j. **Motion** to approve Tribal Council attendance to the Annual Native Nations Events 4-in-1 conference from June 6-9, 2023 at Pechanga Resort and Casino in Temecula, California.
- k. **Motion** to **not** pursue Land Parcel #179 as recommended by the Land and Reservation Committee (LRC).
- l. **Motion** to **not** pursue Land Parcel #183 as recommended by the Land and Reservation Committee (LRC).
- m. **Motion** to **not** pursue Land Parcel #184 as recommended by the Land and Reservation Committee (LRC).
- n. **Motion** to **not** pursue Land Parcel #185 as recommended by the Land and Reservation Committee (LRC).
- o. **Motion** to approve CERTIFIED MOTION # 051123-01 Designate Land Use of Nahma Parcel and Assignment to Natural Resource Department.
- p. **Motion** to approve CERTIFIED MOTION # 051123-02 Assignment of Beaver Island Property, St. James, Michigan.
- q. **Motion** to approve CERTIFIED MOTION # 051123-03 Assignment of Townline Road Property, Petoskey, Michigan.
- r. **Motion** to approve CERTIFIED MOTION # 051123-04 Approval of Site Plan for the Development of Tiny Homes at Monroe Street, Petoskey, Michigan.
- s. **Motion** to approve CERTIFIED MOTION # 051123-05 Assignment of Valley Road Property, Levering, Michigan.
- t. **Motion** to approve CERTIFIED MOTION # 051123-06 Request for Funding from Department of Homeland Tribal Homeland Security Grant Program FY 2023.
- u. **Motion** to approve CERTIFIED MOTION # 051123-07 Request for Funding as a sub-grantee from the Inter-Tribal Council of Michigan for funding from the Administration for Children and Families (ACF) Little Traverse Bay Bands of Odawa Indians Tribal Home Visiting Grant Program FY 2023-2027.

#### 16. Roll Call Votes

a.

#### 13. Other Items of Business:

a.

17. Adjournment

\_\_\_\_\_ **a.m./p.m. Motion** to adjourn.

Next Scheduled Meeting May 25, 2023  
at 9:00 a.m. in Council Chambers and via Zoom